

Assembly Bill No. 2362

CHAPTER 570

An act to amend Sections 20919.12 and 20919.15 of the Public Contract Code, relating to public contracts.

[Approved by Governor September 28, 2006. Filed with
Secretary of State September 28, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2362, Jerome Horton. Public contracts: job order contracting: school districts.

Existing law provides various procedures, including competitive bidding, for different types of contracts involving state and local public entities, including school districts. Existing law authorizes, until December 1, 2007, job order contracting, as defined, by the Los Angeles Unified School District, and required the district to submit a report to the Legislature and the Office of Public School Construction in the Department of General Services regarding all job order contracting projects completed by December 31, 2004, and a report regarding the implementation of the job order contracting process for each job order procured, and the work completed on or before November 1, 2007. Under existing law, the Legislature has stated its intent to place a moratorium on the enactment of additional legislation authorizing school districts to use job order contracting until the Legislature has received that report.

This bill would extend the operative date of the job order contracting project to December 1, 2012. This bill would also require all participating school districts to submit, before December 1, 2011, a report to certain legislative committees and the Office of Public School Construction in the Department of General Services regarding the implementation of the job order contracting process for each job order procured, and the work completed on or before November 1, 2011.

The people of the State of California do enact as follows:

SECTION 1. Section 20919.12 of the Public Contract Code is amended to read:

20919.12. If the unified school district adopts the job order contracting process, the unified school district shall submit to the Office of Public School Construction in the Department of General Services, the Senate and Assembly Committees on Business and Professions, the Senate and Assembly Committees on Education, and the Joint Legislative Budget Committee before December 1, 2011, a report containing a description of

each job order contract procured, and the work under each contract completed on or before November 1, 2011. The report shall be prepared by an independent third party and the unified school district shall pay for the cost of the report. The report shall include, but not be limited to, all of the following information:

- (a) A listing of all projects completed under each job order contract.
- (b) The job order contractor that was awarded each contract.
- (c) The estimated and actual project costs.
- (d) The estimated procurement time savings.
- (e) A description of any written protests concerning any aspect of the solicitation, bid, proposal, or award of the job order contract, including, but not limited to, the resolution of the protests.
- (f) An assessment of the prequalification process and criteria.
- (g) A description of the labor force compliance program required under Section 20919.4, and an assessment of the impact on a project where compliance with that program is required.
- (h) Recommendations regarding the most appropriate uses for the job order contract process.

SEC. 2. Section 20919.15 of the Public Contract Code is amended to read:

20919.15. This article shall remain in effect only until December 1, 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before December 1, 2012, deletes or extends that date.